



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/736,587

12/17/2003

James Burke

4851.03

5735

37833 7590 06/11/2010

LITMAN LAW OFFICES, LTD.  
POST OFFICE BOX 41200  
SOUTH STATION  
ARLINGTON, VA 22204

EXAMINER

NG, CHRISTINE Y

ART UNIT

PAPER NUMBER

2464

MAIL DATE

DELIVERY MODE

06/11/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/736,587	<b>Applicant(s)</b> BURKE, JAMES	
	<b>Examiner</b> CHRISTINE NG	<b>Art Unit</b> 2464	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 58-85,87-142 and 144-171 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 58-85,87-142 and 144-171 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 58-60, 62-65, 67, 68, 70-73, 75-77, 97, 99, 115-117, 119-122, 124, 125, 127-130, 132-134, 154 and 156 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,552,897 to Mandelbaum et al in view of U.S. Patent No. 6,359,974 to Ishibashi, and in further view of U.S. Patent No. 6,507,771 to Svoboda.

Referring to claim 58, Mandelbaum et al disclose in Figure 1 a fax system for routing voice/video/fax mail (Column 2, lines 55-60), the system comprising:

A first fax machine (100) communicatively interconnected directly (via telephone switch network 190) with a second fax machine (100). Refer to Column 2, line 61 to Column 3, line 10.

Said first fax machine including a processor (microprocessor 121) and memory (RAM 122 and ROM 123), and being configured for routing voice/video/fax mail to associated recipients. Refer to Column 2, line 55 to Column 3, line 20.

Said second fax machine including a processor (microprocessor 121) and memory (RAM 122 and ROM 123), and being configured for routing voice/video/fax mail to associated recipients. Refer to Column 2, line 55 to Column 3, line 20.

Said first and second fax machines each including fax software to configure said fax machines to be directly linked (via telephone switch network 190; Column 2, line 61 to Column 3, line 10) wherein the sender of the voice/video/fax mail is the controller of said mail at both locations thereby enabling the sender to be certain that the receiving machine is the intended recipient of said mail and cannot access said mail until the sender releases control of the mail. As shown in Figure 3B (steps 362, 372, 363) the sender fax apparatus 100 sends a fax message to receiver fax apparatus 100 and encrypts the message using the sender's private key  $K_{SS}$ . The receiver fax apparatus 100 enters the sender's public key,  $K_{SP}$ , to decrypt the message. Refer to Column 6, line 59 to Column 7, line 30. The sender fax apparatus 100 controls the release of the message since it includes  $K_{SP}$  in the header of its messages (Figure 4, typical header message 403) sent to receiver fax apparatus 100. The receiver fax apparatus 100 must get the  $K_{SP}$  from the message header to decrypt and receive the message. Refer to Column 4, lines 39-65.

Mandelbaum et al do not disclose a VERIFICATION MODE for enabling the sender to access the receiving fax machine and determine whether voice/video/fax mail sent from the sending fax machine has been received, accessed and retrieved by the intended recipient at the receiving fax machine.

Ishibashi et al disclose in Figures 4 and 7 a method for confirming to a sender 3A that a fax was received, accessed and retrieved by a receiver 3B. Refer to Column 1, lines 52-60; and Column 3, line 62 to Column 4, line 22. Sender 3A prepares ( $a_1$ ) a fax for receiver 3B, allots ( $c_1$ ) an administration control number to the fax, transmits ( $d_1$ - $f_1$ )

Art Unit: 2464

the fax, receives ( $g_1$ ) a reception confirmation with the administrative control number, and then uses ( $j_1-k_1$ ) the administrative control number to record reception of the reception confirmation in the transmission log. By use of the administrative control number, the sender 3A “accesses” the receiving fax machine 2B since sender 3A is able to determine which faxes receiving fax machine 2B has received. Sender 3A uses the administrative control number attached to the reception confirmation to determine if a fax with the same administrative control number was received by receiving fax machine 2B. The administrative control number allows sender 3A to “access” receiving fax machine 2B to verify whether a certain fax was received. Refer to Column 5, line 41 to Column 2, line 44. Furthermore, Svoboda discloses a method wherein a sender fax can use an access password to modify and/or delete a message stored at the receiver fax which has not been withdrawn yet. Since the sender fax can only access messages not yet withdrawn, the sender fax knows what messages have been received and withdrawn by the receiver fax. Refer to Column 1, lines 28-35; Column 1, line 52 to Column 2, line 23; and Column 2, line 50 to Column 3, line 40. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a VERIFICATION MODE for enabling the sender to access the receiving fax machine and determine whether voice/video/fax mail sent from the sending fax machine has been received. One would have been motivated to do so to allow a sender to determine whether a fax was retrieved by the correct receiver.

Referring to claim 115, Mandelbaum et al disclose in Figure 1 a method for routing voice/video/fax mail (Column 2, lines 55-60), the method comprising:

Providing a first fax machine (100).

Providing a second fax machine (100).

Communicatively directly interconnecting the first fax machine with the second fax machine for a first voice/video/fax mail transmission, wherein said interconnecting further includes the step of including fax software in each of said fax machines to configure said fax machines to be directly linked as respective sender and receiving fax machines that the sender of the voice/video/fax mail is the controller of said mail at both locations thereby enabling the sender to be certain that the receiving machine is the intended recipient of said mail and cannot access said mail until the sender releases control of the mail. Refer to the rejection of claim 58.

Transmitting a first voice/video/fax mail with a recipient fax code ( $K_{SP}$ ) from the first fax machine to the second fax machine.

Receiving the first voice/video/fax mail with the recipient fax code at the second fax machine. The first fax apparatus 100 puts the  $K_{SP}$  in the header of its messages (Figure 4, typical header message 403) sent to the second fax apparatus 100. Refer to Column 4, lines 39-65.

Controlling access to the first voice/video/fax mail from the second fax machine based on reentry of the recipient fax code at the second fax machine. As shown in Figure 3B (steps 362, 372, 363), the second fax apparatus gets the  $K_{SP}$  from the message header and re-enters it in order to decrypt and receive the message. Refer to Column 6, line 59 to Column 7, line 30. Refer also to the rejection of claim 58.

Mandelbaum et al do not disclose a VERIFICATION MODE for enabling the sender to access the receiving fax machine and determine whether voice/video/fax mail sent from the sending fax machine has been received, accessed and retrieved by the intended recipient at the receiving fax machine. Refer to the rejection of claim 58.

Referring to claims 59 and 116, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise an operating panel (140). Refer to Column 3, lines 26-29.

Referring to claims 60 and 117, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise an operating display screen (142). Refer to Column 3, lines 26-29.

Referring to claims 62 and 119, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise a telephone handset. Refer to Column 3, lines 6-7.

Referring to claims 63 and 120, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise a sealed paper tray (in printer of output unit 150). Printers can have sealed paper trays. Refer to Column 3, lines 30-32.

Referring to claims 64 and 121, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise an auxiliary paper tray. Printers can have auxiliary paper trays. Refer to Column 3, lines 30-32.

Referring to claims 65 and 122, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise a printer (150). Refer to Column 3, lines 30-32.

Referring to claims 67 and 124, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise a modem (in communication unit 110). Refer to Column 3, lines 21-23.

Referring to claims 68 and 125, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise a keyboard (buttons 141). Refer to Column 3, lines 26-29.

Referring to claims 70 and 127, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise a key pad (key pad on telephone 105 or buttons 141). Refer to Column 3, lines 6-7 and lines 26-29.

Referring to claims 71 and 128, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise a telephone key pad (on telephone 105). Refer to Column 3, lines 6-7.

Referring to claims 72 and 129, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise peripheral component interconnect slots (on control unit 120 for connecting devices such as smart card interface 170). Refer to Column 3, lines 26-42.

Referring to claims 73 and 130, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise voice generator circuitry (NCU 104). Refer to Column 3, lines 6-7.

Referring to claims 75 and 132, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise a sound card (NCU 104). Since NCU 104



processes voice communications, it must have a sound card. Refer to Column 3, lines 6-7.

Referring to claims 76 and 133, Mandelbaum et al disclose in Figure 4 wherein said first and second fax machines comprise a voice/video/fax mail display (recipient list 404). Refer to Column 5, lines 16-20 and lines 56-61.

Referring to claims 77 and 134, Mandelbaum et al disclose in Figure 1 wherein said first and second fax machines comprise a paper scanner (scanning unit 160). Refer to Column 3, lines 12-15 and lines 33-35.

Referring to claims 97 and 154, Mandelbaum et al disclose in Figure 4 wherein said first and second fax machines each include fax software to configure the fax machine in a FAX QUEUE mode (recipient list 404) for providing the fax machine with a fax queue which places incoming calls in a first come first serve basis, and provides incoming callers with a prompt indicating an approximate time (date/time) the fax machine will receive a particular sender's voice/video/fax mail. Refer to Column 5, lines 16-20 and lines 56-61.

Referring to claims 99 and 156, Mandelbaum et al disclose in Figure 4 wherein said first and second fax machines each include fax software to configure the fax machine in a DIRECTORY PROMPT mode (recipient list 410) for enabling a user using a prompt an interconnected receiving fax machine for a directory of extension numbers available at the receiving fax machine. Refer to Column 4, lines 18-23.

3. Claims 61, 66, 69, 78, 84, 85, 100-102, 105, 106, 111, 118, 123, 126, 135, 141, 142, 157-159, 162, 163 and 168 are rejected under 35 U.S.C. 103(a) as being

Art Unit: 2464

unpatentable over U.S. Patent No. 5,552,897 to Mandelbaum et al in view of U.S. Patent No. 6,359,974 to Ishibashi and view of U.S. Patent No. 6,507,771 to Svoboda, and in further view of U.S. Patent No. 5,579,087 to Salgado.

Referring to claims 61 and 118, Mandelbaum et al do not disclose wherein said first and second fax machines comprise a microphone/speaker.

Salgado discloses in Figure 1 a multimedia device with a fax machine 13 that includes a microphone 8 and speakers 12. Refer to Column 3, lines 31, 33 and 34. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines comprise a microphone/speaker. One would have been motivated to do so in order for users to communicate with each other.

Referring to claims 66 and 123, Mandelbaum et al do not disclose wherein said first and second fax machines comprise an audio/video recording camera.

Salgado discloses in Figure 1 a multimedia device with a fax machine 13 that includes a video camera 9. Refer to Column 3, lines 31 and 34. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines comprise an audio/video recording camera. One would have been motivated to do so in order for users to record audio/video segments.

Referring to claims 69 and 126, Mandelbaum et al do not disclose wherein said first and second fax machines comprise a mouse.

Salgado discloses in Figure 1 a multimedia device with a fax machine 13 that includes a mouse 7. Refer to Column 3, lines 31 and 34. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines comprise a mouse. One would have been motivated to do so in order for users to point on the screen.

Referring to claims 78, 111, 135 and 168, Mandelbaum et al do not disclose wherein said first and second fax machines comprise a bar code reader (claims 78,135) and check paper including a tracking number and a bar code running along one side of the check paper (claims 111,168).

Salgado discloses the use of bar codes on control sheets to reference documents. Refer to Column 1, line 60 to Column 2, line 3. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines comprise a bar code reader (claims 78,135) and check paper including a tracking number and a bar code running along one side of the check paper (claims 111,168). One would have been motivated to do so in order for users to distinguish between different documents.

Referring to claims 84, 85, 141 and 142, Mandelbaum et al do not disclose wherein said first and second fax machines comprise a hard drive (claims 84,141) and a removable drive (claims 85,142).

Salgado discloses in Figure 1 a multimedia device with a fax machine 13 that includes a hard drive and removable drives such as optical drives, floppy drives and tape drives. Refer to Column 3, lines 34 and 37-42. Therefore, it would have been

Art Unit: 2464

obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines comprise a hard drive (claims 84,141) and a removable drive (claims 85,142). One would have been motivated to do so in order for users to store data in the computer.

Referring to claims 100-102, 106, 157-159 and 163, Mandelbaum et al do not disclose wherein said first and second fax machines: each include fax software to configure the fax machine in an I'M HERE WHO'S THERE mode for enabling users of said fax machine to communicate in a manner similar to instant messaging or email (claims 100,157), are configured to communicate to other fax machines in a manner similar to instant messaging or email (claims 101,158), are configured to communicate to computing devices interconnected to a network connection in a manner similar to instant messaging or email (claims 102,159), and include fax software to configure the fax machine in a TOUCH PAD mode to activate a full size touch pad to allow participants to instant message in script (claims 106,163).

Salgado discloses in Figure 1 a multimedia device with a fax machine 13 that has an email system 19 to allow users to communicate with other fax machines 13 via email or with other work stations 4 via email. Refer to Column 3, lines 24 and 37-42.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines: each include fax software to configure the fax machine in an I'M HERE WHO'S THERE mode (claims 100,157), are configured to communicate to other fax machines in a manner similar to instant messaging or email (claims 101,158), are configured to communicate to

Art Unit: 2464

computing devices interconnected to a network connection in a manner similar to instant messaging or email (claims 102,159), and include fax software to configure the fax machine in a TOUCH PAD mode (claims 106,163). One would have been motivated to do so in order for users to communicate with each other via email.

Referring to claims 105 and 162, Mandelbaum et al do not disclose wherein said first and second fax machines each include fax software to configure the fax machine in a REFERENCE LIBRARY mode for providing internal/external access to documents/information stored in a storage database.

Salgado discloses in Figure 1 a multimedia device with a fax machine 13 that includes a file server 14 that provides users with access to public, shared and private data. Refer to Column 3, lines 34-43. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines each include fax software to configure the fax machine in a REFERENCE LIBRARY mode. One would have been motivated to do so in order for users to access stored information.

4. Claims 74, 79-82, 89, 92, 93, 107, 110, 131, 136-139, 146, 149, 150, 164 and 167 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,552,897 to Mandelbaum et al in view of U.S. Patent No. 6,359,974 to Ishibashi in view of U.S. Patent No. 6,507,771 to Svoboda, and in further view of U.S. Publication No. 2002/0198829 to Ludwig et al.

Referring to claims 74, 79-82, 92, 93, 107, 131, 136-139, 149, 150 and 164 Mandelbaum et al do not disclose wherein said first and second fax machines comprise

Art Unit: 2464

voice recognition circuitry (claims 74,131 and claims 107,164), a finger/thumb print scanner (claims 79,136 and claims 92,149), a retina scanner (claims 80,137 and claims 93,149), a stylus (claims 81,138) and a signature pad (claims 82,139).

Ludwig et al disclose a method for verifying a user before the user can transfer data to a destination such as a fax recipient (Section 0051, lines 16-22). Methods of verification include voice recognition (Section 0051, line 30), finger/thumb print scanner (Section 0051, lines 28-29), retina scanner (Section 0051, line 29), a stylus (used for handwriting analysis; Section 0051, line 29) and a signature pad (for handwriting analysis; Section 0051, line 29). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines comprise voice recognition circuitry (claims 74,131 and claims 107,164), a finger/thumb print scanner (claims 79,136 and claims 92,149), a retina scanner (claims 80,137 and claims 93,149), a stylus (claims 81,138) and a signature pad (claims 82,139). One would have been motivated to do so to provide secure method to authenticate a user of a system.

Referring to claims 89 and 146, Mandelbaum et al do not disclose wherein said first and second fax machines each include fax software to configure the fax machine in a FAX A CHECK mode for enabling a user to securely fax monetary checks.

Ludwig et al disclose a method for verifying a user before the user can transfer data to a destination such as a fax recipient (Section 0051, lines 16-22). Data can include payments by paper checks. Refer to Sections 0067 and 0156. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to include wherein said first and second fax machines each include fax software to configure the fax machine in a FAX A CHECK mode. One would have been motivated to do so to provide secure method for transmitting payments.

Referring to claims 110 and 167, Mandelbaum et al do not disclose wherein said first and second fax machines each include fax software to configure the fax machine in a CONTRACT mode to enable the corresponding fax machine to enable a sender and a receiver of a fax transmission of a contract/agreement/understanding requiring signatures from both the sender and the receiver to view the signatures of the sender and the receiver at transmitting and receiving fax machines at both ends of the fax transmission.

Ludwig et al disclose the use of signatures in faxing documents such as payments. Refer to Section 0051 and Section 0096, lines 1-23. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines each include fax software to configure the fax machine in a CONTRACT mode. One would have been motivated to do so to ensure that both sides agree on a contract transmitted through fax.

5. Claims 83 and 140 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,552,897 to Mandelbaum et al in view of U.S. Patent No. 6,359,974 to Ishibashi in view of U.S. Patent No. 6,507,771 to Svoboda, and in further view of U.S. Patent No. 5,003,405 to Wulforst.

Mandelbaum et al do not disclose wherein said first and second fax machines each comprise a shredder.

Wulforst discloses in Figure 1 a fax machine 11 and a paper shredder 12. Refer to Column 3, lines 9-23. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines each comprise a shredder. One would have been motivated to do so to allow to user to shred papers.

6. Claims 87, 88, 90, 91, 94-96, 98, 144, 145, 147, 148, 151-153 and 155 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,552,897 to Mandelbaum et al in view of U.S. Patent No. 6,359,974 to Ishibashi in view of U.S. Patent No. 6,507,771 to Svoboda, and in further view of U.S. Patent No. 5,566,230 to Cairo et al.

Referring to claims 87, 88, 95, 96, 98, 144, 145, 152, 153 and 155, Mandelbaum et al do not disclose wherein said first and second fax machines each include fax software to configure the fax machine in a: RETURN RECEIPT REQUESTED mode for enabling a user to receive a RETURN RECEIPT REQUESTED update automatically with every voice/video/fax mail sent to a receiving fax machine (claims 87,144), CHECK mode for enabling a user to rapidly make a determination whether voice/video/fax mail sent from a fax machine has been retrieved by recipients at associated retrieving fax machines (claims 88,145), INSTANT STATUS mode for enabling a user to be automatically notified if voice/video/fax mail has been received at a fax machine of the user (claims 95,152), CARBON COPY (CC) mode for enabling a user to have assurance that voice/video/fax mail has been initiated by CC'ing a tracking number of the voice/video/fax mail back to the fax machine (claims 96,153), and IDENTITY mode



Art Unit: 2464

for enabling a user to ascertain whether receiving fax machine is an intended target fax machine (claims 98,155)

Cairo discloses a method of certifying fax deliveries. The method involves printing a copy of each page of the fax transmission along with indicia of delivery. The indicia of delivery include the telephone number of a destination fax machine, an indication that the faxed sheet was properly delivered, and a time of document delivery. Refer to Column 2, line 51 to Column 3, line 7. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines each include fax software to configure the fax machine in a: RETURN RECEIPT REQUESTED mode (claims 87,144), CHECK mode (claims 88,145), INSTANT STATUS mode (claims 95,152), CARBON COPY (CC) mode (claims 96,153), and IDENTITY mode (claims 98,155). One would have been motivated to do so to allow the sender to ensure that the fax has been received by the correct receiver.

Referring to claims 90, 91, 94, 147, 148 and 151, Mandelbaum et al do not disclose wherein said first and second fax machines each include fax software to configure the fax machine in a: FOR YOUR EYES ONLY mode for enabling a viewing party to hear/see a "read only" voice/video/fax mail (claims 90,147), FOR YOUR EYES ONLY mode operable to enable a viewing party to hear/see a "read only" voice/video/fax mail using a retractable screen cover with eyeholes (claims 91,149), and READ ONLY mode for enabling a user to only hear/read voice/video/fax mail (claims 94,151).

Cairo discloses that fax documents can be read-only. Refer to Column 6, lines 8-16. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines each include fax software to configure the fax machine in a: FOR YOUR EYES ONLY mode (claims 90,147), FOR YOUR EYES ONLY mode using a retractable screen cover with eyeholes (claims 91,149), and READ ONLY mode (claims 94,151). One would have been motivated to do so to ensure that the fax cannot be changed by the receiver.

7. Claims 103, 109, 160 and 166 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,552,897 to Mandelbaum et al in view of U.S. Patent No. 6,359,974 to Ishibashi in view of U.S. Patent No. 6,507,771 to Svoboda, and in further view of U.S. Patent No. 6,848,048 to Holmes.

Mandelbaum et al do not disclose wherein said first and second fax machines each include fax software to configure the fax machine in a: PORTRAIT mode for enabling the fax machine equipped with a camera to provide users with images of senders/receivers of voice/video/fax mail, or persons, or things (claims 103,160), and VIEW A DOCUMENT mode to enable the associated fax machine to determine whether a sender of a fax transmission requires previewing of an image of the fax transmission prior to electronically/physically releasing delivery of the fax transmission to a receiving fax machine (claims 109,166).

Holmes discloses in Figure 3 that a fax document 310 can be viewed before being printed by converter module 315. Refer to Column 5, lines 45-65. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to include wherein said first and second fax machines each include fax software to configure the fax machine in a: PORTRAIT mode (claims 103,160), and VIEW A DOCUMENT (claims 109,166). One would have been motivated to do so to allow a user to view a document before sending it.

8. Claims 104 and 161 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,552,897 to Mandelbaum et al in view of U.S. Patent No. 6,359,974 to Ishibashi in view of U.S. Patent No. 6,507,771 to Svoboda, and in further view of U.S. Patent No. 6,201,967 to Goerke.

Mandelbaum et al do not disclose wherein said first and second fax machines each include fax software to configure the fax machine in a AWAY MESSAGE mode for enabling an away message to be placed on a receiving fax machine to enable senders to know that a particular individual at the receiving fax machine is not present at a particular time to receive voice/video/fax mail.

Goerke discloses that a user can set its status to unavailable so that it cannot receive messages at that time. Refer to Column 11, lines 24-36. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines each include fax software to configure the fax machine in a AWAY MESSAGE mode. One would have been motivated to do so that users can notify other users when they are not available.

9. Claims 108 and 165 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,552,897 to Mandelbaum et al in view of U.S. Patent No.

Art Unit: 2464

6,359,974 to Ishibashi in view of U.S. Patent No. 6,507,771 to Svoboda, and in further view of U.S. Patent No. 5,940,471 to Homayoun.

Mandelbaum et al do not disclose wherein said first and second fax machines each include fax software to configure the fax machine in a PARTY LINE mode to enable a transmitting fax machine to be communicatively connected to plural receiving fax machines via a party line.

Homayoun discloses that users can carry conference calls via facsimile transmissions. Refer to Column 1, line 66 to Column 2, line 5. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines each include fax software to configure the fax machine in a PARTY LINE mode. One would have been motivated to do so that users can participate in conference calls.

10. Claims 112-114 and 169-171 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,552,897 to Mandelbaum et al in view of U.S. Patent No. 6,359,974 to Ishibashi in view of U.S. Patent No. 6,507,771 to Svoboda, and in further view of U.S. Patent No. 6,249,575 to Heilmann et al.

Mandelbaum et al do not disclose wherein said first and second fax machines each configured to activate an alarm upon a breach of security of the associated fax machine (claims 111,169), wherein the alarm results in emission of an audible sound at a predetermined decibel level (claims 112,170), and wherein the alarm results in transmission of signal to a remote authorized party to advise them of a breach in security protocol of the fax machine (claims 113,171).

Heilmann et al disclose that if a call is an attempted security breach, the call is denied and a security administrator is notified. Refer to Column 9, lines 36-42. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said first and second fax machines each configured to activate an alarm upon a breach of security of the associated fax machine (claims 111,169), wherein the alarm results in emission of an audible sound at a predetermined decibel level (claims 112,170), and wherein the alarm results in transmission of signal to a remote authorized party to advise them of a breach in security protocol of the fax machine (claims 113,171). One would have been motivated to do so to monitor the system for security breaches.

### ***Response to Arguments***

11. Applicant's arguments filed April 15, 2010 have been fully considered but they are not persuasive.

Referring to the argument that Mandelbaum et al do not disclose direct fax-to-fax interconnection and no Internet linkage of the fax machines (page 25 line 14 to page 26, line 4): Mandelbaum et al disclose in Figure 1 a first fax machine 100 communicatively interconnected directly with a second fax machine 100 via telephone switch network 190; telephone switch network 190 provides a direct connection between the fax machines 100. Mandelbaum et al makes no mention of an Internet connection between the fax machines 100. Refer to Column 2, line 61 to Column 3, line 10.

Referring to the argument that Ishibashi and Svoboda do not disclose the claimed VERIFICATION MODE since the applicant "incorporates the arguments

previously made in response thereto" (page 26 line 5 to page 28 line 16): Independent claims 58 and 115 do not specifically claim that the sender nor the intended recipient at the receiving fax machine is a human recipient. However, Ishibashi and Svoboda still disclose human recipients at the sending and the receiving ends. Although Ishibashi discloses in Figure 7 server to server acknowledgement, Ishibashi discloses in Figure 4 a method for confirming to a sender 3A that a fax was received, accessed and retrieved by a receiver 3B. Sender 3A is the actual human sender using fax server 2A and receiver 3B is the actual human receiver using fax server 2B. Refer to Column 1, lines 52-60; and Column 3, line 62 to Column 4, line 22. Furthermore, Svoboda discloses that a sender of a fax can use an access password to modify and/or delete a message stored at the receiver fax which has not been withdrawn yet. Since the sender fax can only access messages not yet withdrawn, the sender knows what messages have been received and withdrawn by the receiver fax. Svoboda is therefore used to teach that a sender of a fax can have access to a receiver fax to determine the status of fax transmissions. Refer to Column 1, lines 28-35; Column 1, line 52 to Column 2, line 23; and Column 2, line 50 to Column 3, line 40.

Referring to the argument that Ishibashi does not disclose fax software to configure said fax machines to be directly linked as respective sender and receiving fax machines (page 28 lines 1-16): The direct connection between the fax machine and the respective sender and receiver is disclosed by Mandelbaum et al. Mandelbaum et al disclose in Figure 1 a first fax machine 100 communicatively interconnected directly with a second fax machine 100 via telephone switch network 190; telephone switch network

Art Unit: 2464

190 provides a direct connection between the fax machines 100. Mandelbaum et al makes no mention of an Internet connection between the fax machines 100. Refer to Column 2, line 61 to Column 3, line 10.

***Conclusion***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTINE NG whose telephone number is (571)272-3124. The examiner can normally be reached on M-F; 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C. Ng  
June 2, 2010

/Ricky Ngo/  
Supervisory Patent Examiner, Art Unit 2464

Application/Control Number: 10/736,587  
Art Unit: 2464

Page 23